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7 Attorneys for Defendant
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8 UNITED STATES DISTRICT COURT
9 DISTRICT OF NEVADA

10 EDDIE WORMWOOD,

11 Plaintiff,

12 vs.

13 NORTH LAS VEGAS POLICE
DEPARTMENT, a political subdivision of the
14 STATE OF NEVADA; CITY OF NORTH LAS
VEGAS; FORMER CHIEF OF NORTH LAS
15 VEGAS POLICE DEPARTMENT JOSEPH
CHRONISTER (in his individual capacity and
16 official capacity as Chief of North Las Vegas
Police Department); DETECTIVE DAVE
17 MOLNAR (individually and in his capacity as a
police officer employed by the City of North Las
18 Vegas Police Department); DEPUTY DISTRICT
ATTORNEY JAMES R. SWEETEN (in his
19 individual capacity); SENIOR INVESTIGATOR
CARRIE MEADS (in her individual capacity);
20 DISTRICT ATTORNEY STEVEN B.
WOLFSON (in his individual and official
21 capacity), CHIEF DEPUTY DISTRICT
ATTORNEY PETER THUNELL (in his
22 individual and official capacity), DEPUTY
DISTRICT ATTORNEY MICHELLE FLECK
23 (in her individual and official capacity, CLARK
COUNTY, NEVADA; THE CLARK COUNTY
24 DISTRICT ATTORNEY'S OFFICE, DOE
OFFICERS, CLARK COUNTY, NEVADA, 1
25 through 10 (in their individual and official
capacities), inclusive and, JOHN DOES 1-10,
26 inclusive.

27 Defendants.
28

Case No. 2:15-cv-01438-JAD-GWF

**JOINT STIPULATION TO STAY DISCOVERY PENDING DISPOSITION OF
DEFENDANTS' MOTIONS TO DISMISS**

(SECOND REQUEST)

Pursuant to LR IA 6-1 and LR 7-1, Defendants North Las Vegas Police Department, City of North Las Vegas, Joseph Chronister, Dave Molnar (collectively, the "North Las Vegas Defendants"), Steven B. Wolfson, Peter Thunell, Clark County, Nevada, the Clark County District Attorney's Office (collectively, the "Clark County Defendants"), James R. Sweetin, and Carrie Meads, along with Plaintiff Eddie Wormwood, by and through undersigned counsel of record, hereby stipulate and agree as follows:

On July 28, 2015, Plaintiff filed his Complaint under 42 U.S.C. § 1983. (ECF No. 3). The North Las Vegas Police Department, the City of North Las Vegas, and Joseph Chronister filed a Motion to Dismiss (ECF No. 13) on September 8, 2015. On September 30, 2015, James R. Sweetin filed a Joinder to the Motion to Dismiss (ECF No. 18). On November 2, 2015, Dave Molnar filed a Joinder to the Motion to Dismiss (ECF No. 31). On December 21, 2015, Carrie Meads filed a Joinder to the Motion to Dismiss (ECF No. 37).

On October 26, 2015, Plaintiff and the defendants who had appeared at the time filed a Joint Stipulation to stay all discovery until disposition of the pending Motion to Dismiss and joinder. (ECF No. 30). The Court entered an order staying discovery on November 3, 2015. (ECF No. 33).

On July 26, 2016, the Court issued its Order granting the Motion to Dismiss and joinders to the same, finding that Plaintiff's claims were barred by the applicable two year statute of limitations. (ECF No. 41). Plaintiff, however, was given leave to amend his Complaint. (*Id.*)

On August 9, 2016, Plaintiff filed his First Amended Complaint (FAC) alleging four causes of action: (1) violations of 42 U.S.C. § 1983 and Nevada state law for malicious prosecution; (2) intentional infliction of emotional distress; (3) abuse of process; and (4) conspiracy and naming the Clark County Defendants as new parties. (ECF No. 42). The North Las Vegas Defendants filed their Motion to Dismiss the FAC on August 22, 2016. (ECF No. 50). James R. Sweetin filed his Motion to Dismiss the FAC on August 23, 2016. (ECF No. 51). Meads filed her Motion to Dismiss the FAC on August 26, 2016. (ECF No. 52). The Clark County Defendants filed their Motion to Dismiss the FAC on October 7, 2016. (ECF No. 60). The Clark County Defendants' Motion to Dismiss is currently

being briefed. All other motions to dismiss are fully briefed. Defendant Michelle Fleck has not yet appeared.

Given the nature of the case and the arguments raised in the various motions to dismiss the FAC (e.g. that Plaintiff's claims remain barred by the applicable statute of limitations, that Plaintiff has failed to state a claim for relief, and that each defendant is shielded from Plaintiff's claims by immunity) and the fact that one defendant has not yet appeared, the parties agree to stay all discovery, including the Fed. R. Civ. P. 26(f) conference until the Court rules on the pending motions to dismiss.

This Stipulation is submitted in good faith and not for the purpose of causing delay. The claims or issues subject to discovery in this case are dependent upon the Court's ruling on the various motions to dismiss. All or part of the claims alleged against Defendants in the FAC may be dismissed once the Court rules on the pending motions, and the parties agree that a stay will prevent the parties from engaging in costly and time-consuming discovery on claims that may ultimately be dismissed.

This is the second stipulation seeking a stay of discovery in this matter and the first stipulation joined by Dave Molnar, Carrie Meads, and the Clark County Defendants.

IT IS SO STIPULATED, this 24th day of October, 2016.

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Attorney General

JUSTICE FORCE LAW GROUP LLC

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B. Wolfson, Clark County Chief Deputy
District Attorney Peter Thunell, and Deputy
District Attorney James Sweetin*

IT IS SO ORDERED:


UNITED STATES MAGISTRATE JUDGE

DATED: 10/26/2016